



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

201-15647

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OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Michael A. Lynch
Chairman
Chloroprenes Scientific Oversight Committee
DuPont Dow Elastomers L.L.C.
Pontchartrain Site
560 Highway 44
LaPlace, LA 70068-6908

Dear Mr. Lynch:

I am replying to your letter dated January 5, 2000, to the U.S. Environmental Protection Agency (EPA), regarding the High Production Volume (HPV) Challenge Program. I apologize for the lengthy delay in responding to your request.

The letter indicated that several chemicals were included in the Organization for Economic Cooperation and Development (OECD) HPV Screening Information Data Set (SIDS) Program or were being sponsored. The Agency concurs with this assessment and has assigned an indicator of "2" to 1,3-Butadiene, 2-chloro- (CAS No. 126-99-8), and 1-Butene, 2,3,4-trichloro- (CAS No. 2431-50-7), on the HPV Challenge Program Chemical List, to indicate that these chemicals are otherwise being handled under the OECD HPV SIDS Program. The chemicals 1-Butene, 3,4-dichloro- (CAS No. 760-23-6), 2-Butene mixture, 1,4-dichloro- (CAS No. 764-41-0), and 1,3-Butadiene, 2,3-dichloro- (CAS No. 1653-19-6) have been assigned both a "2" and a "4" on the HPV Challenge Program Chemical List to indicate that the chemicals are being sponsored under the SIDS Program as well as through the International Council of Chemical Associations' (ICCA) HPV Initiative. Finally, 2-Butene, 1,3-dichloro- (CAS No. 926-57-8), has been assigned a "4" indicating it is being handled through the ICCA HPV Initiative. Sponsorship of these chemicals has been reflected on the Agency's Chemical Right-to-Know (ChemRTK) website (www.epa.gov/chemrtk).

Your letter also reiterated a request made in a letter from Carol Palmiotto dated March 12, 1999, that two chemicals, 2-Butene, 1,4-dichloro-, (E)- (CAS No. 110-57-6), and 2-Butene, 1,4-dichloro-, (Z) (CAS No. 1476-11-5), be delisted and replaced by a single non-separated 2-Butene, 1,4-dichloro- (CAS No. 764-41-0), mixture. This request was denied by the Agency in a March 3, 2000, response to Ms. Palmiotto (enclosed). That response stated that EPA does not consider 2-Butene, 1,4-dichloro- (CAS No. 764-41-0) to be a mixture as defined under TSCA.

Rather, EPA considers this substance to be a Class 2 substance in which the stereochemistry of the two chloromethyl groups is unspecified. The letter went on to say that the two chemicals had been reported separately during the 1990 and 1994 TSCA Inventory Update Rule reporting cycles indicating that they were manufactured separately from 2-Butene, 1,4-dichloro- (CAS No. 764-41-0).

However, the situation has changed in one respect since our March, 2000, response to Ms. Palmiotto. Based on EPA's review of all the pertinent IUR data from 1998 and 2002, EPA has determined that CAS No.'s 1476-11-5 and 110-57-6 **do meet** the "no longer HPV" criteria. The HPV Challenge Program Chemical List will be annotated by designating these chemicals with a "5" to indicate that they are "no longer HPV."

Finally, you asked whether or not all information, including background data, submitted to the Agency under the HPV Challenge Program must be submitted in English. Please be advised that all robust summaries for those studies judged scientifically adequate must be submitted in English, particularly since they will be placed on the ChemRTK website for the benefit of the American public. It is not required that laboratory study reports be submitted to the Agency under the HPV Challenge Program, unless specifically requested by EPA. As such, these reports do not require translation into English.

We will post your letter, accompanied by our reply, on the ChemRTK website as soon as possible. Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-4770. If you have general questions concerning the HPV Challenge Program, please submit them through the ChemRTK website comment button or through the TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached via e-mail at tsca-hotline@epa.gov.

Sincerely,

Wardner G. Penberthy
Acting Director
Chemical Control Division

Enclosure

cc: Carol A. Palmiotto
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